
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

NATASHA D. WEBSTER, and
individual,

Plaintiff,

v.

YOCHAM TRUCKING, INC., an
Oklahoma Corporation; and DONNIE
RAY HOLMES, an individual,

Defendants,

Case No.: 22-cv-124-KEW

NOTICE OF REMOVAL

**TO: THE JUDGE OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

Defendant, Yocham Trucking, Inc. (“Yocham”), pursuant to Title 28 U.S.C. §§1332, 1441(b) and 1446 and LCvR 81.2, file this Notice of Removal of the civil action filed against it in the District Court of Wagoner County, State of Oklahoma, to the United States District Court for the Eastern District of Oklahoma. In support of removal, Defendant states as follows:

1. Plaintiff, Natasha D. Webster, filed her Petition in the District Court of Wagoner County on March 21, 2022. (See copy of the Wagoner County District Court Docket, attached as Exhibit “1”).
2. Plaintiff, Natasha D. Webster, has pled damages in excess of the amount required

for diversity jurisdiction pursuant to Title 28 U.S.C. §1332. (See Plaintiff's Petition, attached as Exhibit "2").

3. Plaintiff is a resident and citizen of the State of Georgia.
4. Defendant, Yocham, is an Oklahoma corporation doing business in the State of Oklahoma.
5. Defendant, Donnie Ray Holmes ("Holmes") is a citizen of the State of Oklahoma residing in the State of Oklahoma.
6. Defendant, Donnie Ray Holmes ("Holmes") is represented by counsel and agrees to the removal of the case from State Court to Federal Court.
7. Because this is a civil action between citizens of different states and the amount in controversy is in excess of seventy-five thousand dollars (\$75,000), this Court has original subject matter jurisdiction over the civil action pursuant to Title 28 U.S.C. §1332(a)(1). Removal of the action to this Court by Defendant Yocham Trucking Inc. is made pursuant to the provisions of Title 28 U.S.C. §1441.
8. In accordance with the provisions of Title 28 U.S.C. §1391(a), venue is proper in the United States District Court for the Eastern District of Oklahoma because the alleged incident occurred in Sequoyah County, State of Oklahoma, which is in the Eastern District of Oklahoma.
9. By virtue of this Notice of Removal, Defendant does not waive its right to assert any jurisdictional claims or pursue other motions or defenses, including those

available under Rule 12 of the Federal Rules of Civil Procedure.

10. In accordance with the provisions of Title 28 U.S.C. §1446(a) and the local rules of the United States District Court for the Eastern District of Oklahoma, legible copies of all documents filed in the state court action are being filed contemporaneously with this Notice of Removal and submitted by way of the following exhibits:

CJ-2022-00056 (Wagoner County District Court)

Exhibit 1: Copy of the Wagoner County District Court Docket

Exhibit 2: Petition

Exhibit 3: Summons – Yocham

Exhibit 4: Summons – Holmes

In accordance with the provisions of Title 28 U.S.C. §1446(d), Defendant is serving a copy of this Notice of Removal upon Plaintiff and filing a Notice of Removal with the Clerk of the District Court of Wagoner County, State of Oklahoma, where this case was originally filed. Copies of this Notice are being served upon Plaintiff and filed with the Wagoner County Court Clerk contemporaneous with this document.

WHEREFORE, Defendant prays that the Court take jurisdiction in this action to the exclusion of any further proceedings in the District Court of Wagoner County.

Respectfully submitted,

/s/ Michael W. Brewer

**MICHAEL W. BREWER, OBA # 11769
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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants, and a U.S. Certified Mail, Return Receipt Requested was sent to:

Natasha D. Webster, B.S., EMBA
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Evans, GA 30809
101 Shadowood Dr. Martinez, GA 30907
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PRO SE PLAINTIFF

/s/ Michael W. Brewer

MICHAEL W. BREWER